

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.NO.15431 OF 2006

BETWEEN:

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Allam Rajyalakshmi

..Petitioner

vs.

The State Election Commission and others

..Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.NO.15431 OF 2006

ORAL ORDER

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For an election to the post of Sarpanch of Kothapalli Gram Panchayat, Kothapalli, Macherla Mandal, Guntur District scheduled on 29-07-2006, the petitioner filed a nomination along with another. The nomination of the petitioner was rejected on the ground that she suffered disqualification under Sec.19 of the Panchayat Raj Act,1994 for having fallen arrears of property tax.

Aggrieved thereby the petitioner preferred an appeal to the 3rd respondent, who, the petitioner alleges, erroneously and without due application of mind has rejected the appeal by order dated.22-07-2006. Consequently the other candidate who filed nomination, which was accepted being the sole candidate on the rejection of the petitioner's nomination, was declared elected as Sarpanch.

The petitioner states that she has no house of her own. Hence there is no question of incurring disqualification of failure to pay property tax. On this factual platform the petitioner contends that rejection of her nomination is invalid.

As the election process is completed and the other candidate was declared as elected as Sarpanch, the effective remedy available to the petitioner is to file election petition, if she is aggrieved by the election of the other candidate. No

relief could be granted in this writ petition.

In the above circumstances, the writ petition is dismissed at the stage of admission relegating the petitioner to seek alternative remedy by way of election petition. No order as to costs.

GODA RAGHURAM,J

28TH JULY 2006

***TSNR**